

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matters of)	
)	
<i>Fourth Memorandum Opinion and Order</i>)	FCC 10-68, in PR Docket 92-257
)	
<i>Second Order on Further Reconsideration</i>)	DA 09-798
)	
<i>Order on Further Reconsideration</i>)	DA 08-87, in PR Docket No. 92-257
)	
<i>Third Memorandum Opinion and Order</i>)	In PR Docket No. 92-257
)	
Amendment of the Commission's Rules Concerning Maritime Communications)	PR Docket No. 92-257
)	
Petition for Rule Making filed by Regionet Wireless License, LLC)	RM-9664
)	
Applications of Warren C. Havens for New AMTS Systems Dismissed Per <i>Second Memorandum Opinion And Order</i> , PR Docket No. 92-257)	In PR Docket No. 92-257
)	

To: Marlene H. Dortch, Secretary
Attention: The Commission

OPPOSITION

Maritime Communications/Land Mobile, LLC ("MCLM"), by its attorney, files its Opposition to the Petition for Reconsideration ("Petition") filed by Warren Havens, Environmental LLC, Intelligent Transportation & Monitoring Wireless LLC, Skybridge Spectrum Foundation, and Verde Systems LLC (collectively, "Havens") in the above-captioned matters.¹

¹ Havens filed individually and as representative of Environmental LLC (formerly known as, AMTS Consortium LLC); Verde Systems LLC (formerly known as, Telesaurus VPC LLC); Intelligent Transportation & Monitoring Wireless LLC; and Skybridge Spectrum Foundation.

The most recent Commission Order in this proceeding noted that Havens' pleadings were redundant.² Similarly, this instant Petition is redundant. In fact, Havens has filed multiple Petitions for Reconsideration of the same decision. He filed his first in 2002, then in 2003, then again in 2008, all of which were dismissed, the last for reasons of repetition. Then in 2009 Havens filed an Application for Review, and that was dismissed in April 2010 for being repetitive. Now Havens files the latest incarnation of his same claims.

Contrary to Havens' assertion, there is no new fact here that would warrant re-visiting yet again the decision made by the FCC a decade ago to treat the Mobex Communications, Inc. and the Havens applications as mutually exclusive. In fact, to re-open this matter now, after several orders on the subject affirming the original decisions, and after two auctions have been held based upon those decisions as to identity of incumbents, would be grossly unfair.

Parties deserve finality. This issue has been litigated by Havens for far too long. The Commission should uphold its earlier decisions and should sanction Havens for wasting its time and resources on repetitive filings like this Petition.

Conclusion

The Commission made the proper decision years ago when it dismissed both parties' applications as mutually exclusive. Havens' ongoing assault against long-settled decisions shows his real focus is on litigation, not serving the public with his licenses. At what point does

² Please see *Fourth Memorandum Opinion and Order*, PR Docket 92-257, paras. 2-4, April 26,

the Commission impose a penalty on Havens for this abuse of process, -- will it take another decade of such pleadings, or will it act now to save us all the time, expense and distraction of these repetitive claims?

Respectfully submitted,
MARITIME COMMUNICATIONS/
LAND MOBILE, LLC

/s/ Dennis C. Brown


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Dated: June 9, 2010

DECLARATION

I declare under penalty of perjury that the foregoing is true and correct. Executed on

June 9, 2010


Sandra M. DePriest

CERTIFICATE OF SERVICE

I hereby certify that on this 9th day of June, 2010, I served a copy of the foregoing Opposition on the following person by placing a copy in the United States Mail, first-class postage prepaid:

Warren C. Havens
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/s/ Dennis C. Brown